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PATENT TRADEMARK OFFICE

PATENT
Attorney Docket No. 05725.0441

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine RONDEAU

Application No.: 09/349,105

Filed: July 8, 1999

For: COMPOSITION FOR DYEING
KERATIN FIBERS WITH A
CATIONIC DIRECT DYE AND A
THICKENING POLYMER

Group Art Unit: 1751

Office: M. Einsmann

Assistant Commissioner for Patents
Washington, DC 20231

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Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A, duly organized under the laws of France and having its principal place of business at 14, rue Royale, 75008 Paris, France, through its attorneys, represents that it is the assignee of the entire right, title, and interest in and to the instant Application No. 09/349,105, filed on July 8, 1999, for COMPOSITION FOR DYEING KERATIN FIBERS WITH A CATIONIC DIRECT DYE AND A THICKENING POLYMER in the name of Christine RONDEAU, by assignment duly recorded in the United States Patent and Trademark Office at Reel 010286, Frame 0869 on October 1, 1999, and of the following co-pending U.S. applications:

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(1) Application No. 09/287,176, filed April 6, 1999 (CPA filed April 9, 2001) for DYE COMPOSITION FOR KERATIN FIBERS, WITH A CATIONIC DIRECT DYE AND A SUBSTANTIVE POLYMER in the name of Christine RONDEAU, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 010063, Frames 0262-0263 on June 30, 1999 ("Application (1)");

(2) Application No. 09/350,579 filed July 8, 1999, COMPOSITION FOR DYEING KERATIN FIBERS WITH A CATIONIC DIRECT DYE AND A THICKENING POLYMER in the names of Gérard LANG et al., as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 010285, Frame 0483 on October 5, 1999 ("Application (2)"); and

(3) Application No. 09/349,436, filed July 8, 1999, (CPA filed March 19, 2001), for COMPOSITION FOR DYEING KERATIN FIBERS WITH A CATIONIC DIRECT DYE AND A THICKENING POLYMER in the names of Gérard LANG et al., by assignment duly recorded in the United States Patent and Trademark Office at Reel 010285, Frame 0454 on October 5, 1999 ("Application (3)").

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted upon Applications (1), (2), and (3), Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted upon Applications (1), (2),

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and (3) are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted upon Applications (1), (2), and (3), as presently shortened by any terminal disclaimer, in the event that any patent granted upon Applications (1), (2), or (3) later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

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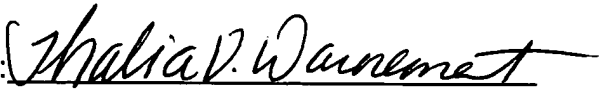
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The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 19, 2002

By: 
Thalia V. Warnement
Reg. No. 39,064

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